

**CITY OF PROVIDENCE
RHODE ISLAND**



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 103 City Council Regular Meeting, Thursday, December 4, 1986, 8:00 P.M. (E.S.T.)

IN CITY COUNCIL

DEC 18 1986

APPROVED:

PRESIDING

Rose M. Mendonca CLERK

COUNCIL PRESIDENT

NICHOLAS W. EASTON

ROLL CALL

Present: Council President Easton,
Councilman Annaldo, Councilwoman Bras-
sil, Councilmen Cola, Dillon, Councilwomen
DiRuzzo, Fagnoli, Councilmen Farmer,
Glavin, Lombardi, O'Connor, Petrosinelli
and Stravato—13.

Absent: Councilmen Griffin and Pitts—2.

INVOCATION

The Invocation is given by COUNCILMAN MALCOLM FARMER, III.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCIL PRESIDENT PRO TEMPORE LOUIS R. STRAVATO leads the Members of the City Council and The Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF RECORD

The Journal of Proceedings No. 102 of the Regular Meeting of the City Council held November 20, 1986 and posted December 1, 1986 on that Bulletin Board located on the Ground Floor Level of City Hall is Approved on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

APPOINTMENT BY HIS HONOR THE MAYOR

Communication dated November 26, 1986, Informing the Honorable City Council that pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, He is appointing Rocco A. DeLuca of 105 Toledo Avenue, Pawtucket, Rhode Island, as Director of the Department of Public Works of the City of Providence and respectfully submits the same for approval.

November 26, 1986

The Honorable Members
The City Council of the City of Providence
City Hall
Providence, Rhode Island 02903

Dear Honorable Members:

Pursuant to Section 302(b) of the Providence Home Rule Charter of 1980, I am appointing Mr.

Rocco A. DeLuca of 105 Toledo Avenue, Pawtucket, Rhode Island, as Director of Public Works of the City of Providence effective December 29, 1986 and respectfully submit same for your approval.

Respectfully submitted,

Joseph R. Paolino, Jr.
Mayor of Providence

Communication Received and Appointment Approved on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Approve, is Sustained.

ORDINANCE SECOND READING

The following Ordinance was in City Council November 20, 1986, Read and Passed the First Time and is returned for Passage the Second Time.

An Ordinance in Amendment of Sections 21-111, 21-112 and 21-113 of the Code of Ordinances of the City of Providence Relating to Tax Exemptions for the Elderly.

Be it ordained by the City of Providence:

Section 1. A three thousand (\$3,000.00) dollar real property exemption from taxation is granted

to any person sixty-five (65) years of age or over, who owns and occupies residential property located in the City of Providence, provided, however, that only one such exemption shall be granted to co-tenants, joint tenants and tenants by the entirety who are sixty-five (65) years of age or over. Such exemption shall be granted upon proof of the following:

- (1) Age;
- (2) Ownership of said residential property for a period of three (3) years next prior to the filing of an application for tax exemption;
- (3) Occupancy of same;
- (4) That said taxpayer is legally domiciled in the City of Providence.

Such proof shall conform to the provisions of Section 2 of this Ordinance. Nothing contained herein shall abrogate or effect the authority conferred upon the City Assessor by the provisions of Section 44-3-3, subparagraph 16 of the General Laws of Rhode Island, 1956, as amended.

Section 2. Filing of Application — Proof of right to exemption. No person shall be entitled to any exemption herein authorized without first filing an application with the City Assessor on forms furnished by the Assessor. Each application shall be sworn to by the applicant or applicants under penalty of perjury. Proof of age, ownership, occupancy and legal domicile shall be furnished in the following manner:

(a) *Proof of age:* Age may be proved by furnishing to the City Assessor either a birth certificate, certificate of citizenship, baptismal certificate, affidavit of a third party or by such other means as may be approved by the Assessor.

(b) *Ownership* may be established by furnishing the City Assessor with the date of purchase and land record citation of same by the applicant of the residential property involved.

(c) *Occupancy:* Occupancy of the residential property may be proved by incorporating such fact in the sworn application for exemption.

(d) *Legal domicile:* Legal domicile may be established by the production of (1) voter's registration certificate or (2) by the production of a license to operate a motor vehicle, or a registration certificate or by such other means as the Assessor may reasonably require.

(e) *Other forms of proof:* An application may provide proof of right to exemption if the above specified methods are not available to him or her by furnishing military records, passports, certificate of citizenship or by such other evidence of proof as may be required by the City Assessor.

(f) Residential property shall be defined as not more than a three (3) family dwelling unit.

In the event that the applicants for exemption are co-tenants, joint tenants or tenants by the entirety, the proof enumerated above by any one of the applicants shall be sufficient to be entitled to the exemption.

Section 3. Termination of exemptions. All exemptions shall terminate upon the conveyance of the subject property, death of the person or persons exempted or the moving of such person or persons from the City of Providence.

Section 4. Severability Clause. If any provision or provisions or parts of this Ordinance are declared to be unconstitutional by a court of competent jurisdiction, such provision or provisions or parts thereof shall be deemed to be void, and the remainder of said provision or provisions shall remain in full force and effect.

Section 5. This Ordinance shall take effect upon its passage and shall repeal Sections 21-111, 21-112 and 21-113 of the Code of Ordinances of the City of Providence.

Read and Passed the Second Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Farmer, Glavin, Lombardi, O'Connor, Petrosinelli and Stravato—13.

Noes: None.

Absent: Councilmen Griffin and Pitts—2.

The motion for Passage the Second Time, is Sustained.

PRESENTATION OF ORDINANCES

COUNCILMAN GLAVIN, COUCILMAN DILLON and COUNCILWOMAN FARGNOLI, (By Request):

An Ordinance amending Article IV, Sections 23-81(c) and 23-81(f) of the Code of Ordinances of the City of Providence.

Referred to the Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

Read and Passed the First Time, and Referred to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, by the following Roll Call Vote:

Ayes: Council President Easton, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwoman DiRuzzo, Councilmen Farmer, Glavin, Lombardi, O'Connor, Petrosinelli and Stravato—11.

Noes: Councilman Annaldo and Councilwoman Fagnoli—2.

Absent: Councilmen Griffin and Pitts—2.

The motion for Passage the First Time and Referral to the Committee on Finance is Sustained.

An Ordinance in Amendment of Section 2-22 of the Code of Ordinances of the City of Providence, entitled "Salary of Mayor" and Section 2-23, entitled "Salaries of Councilmen, Expense Accounts."

PRESENTATION OF RESOLUTIONS

COUNCIL PRESIDENT PRO TEMPORE STRAVATO (By Request):

Resolution requesting the Chief Electrical In-

spector to order the installation of a street light on Pole No. 6, located along Grimwood Street.

Resolved, That the Chief Electrical Inspector is requested to order the installation of a street light on Pole No. 6, located along Grimwood Street.

Resolution requesting the Chief Electrical Inspector to order the installation of a street light on that Pole located along Dresser Street, near Matson Avenue.

Resolved, That the Chief Electrical Inspector is requested to order the installation of a street light on that Pole located along Dresser Street, near Matson Avenue.

COUNCILMAN ANNALDO:

Resolution expressing the Best Wishes of the City Council Members to Robert Garafano, for a complete and speedy recovery from his recent illness.

Resolved, That the Best Wishes of the City Council Members are expressed to Robert Garafano, for a complete and speedy recovery from his recent illness.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

COUNCILMAN GLAVIN, COUNCILMAN DILLON and COUNCILWOMAN FARGNOLI (By Request):

Resolution of the City Council exempting Rocco A. DeLuca and Henry W. Fazzano from the residency requirements established under Sec-

tion 1210 of the Providence Home Rule Charter of 1980.

Resolved, That the City Council exempt Rocco A. DeLuca and Henry W. Fazzano from the residency requirements established under Section 1210 of the Providence Home Rule Charter of 1980. (Letters of requests appended)

Read and Passed, on motion of COUNCILWOMAN FARGNOLI, seconded by COUNCILMAN DILLON.

COUNCILMAN GLAVIN desires to be recorded as Voting "No".

The motion for Passage, is Sustained.

COUNCILMAN O'CONNOR (By Request):

Resolution authorizing the Director of Inspection and Standards to cause the Board-Up Liens on that property located at 41 Somerset Street, in the amount of \$367.00 to be waived, as requested by S.W.A.P.

Resolution authorizing the Chief Engineer of the Water Supply Board to cause the water bill payment to be waived on that property located along 41 Somerset Street, in the amount of \$63.25, as requested by S.W.A.P.

Severally Referred to the Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

COUNCILMAN PETROSINELLI (By Request):

Resolution requesting the Chief Electrical Inspector to order the installation of a 22,000 lumen mercury vapor light on Pole No. 7, located along Opper Street.

Resolved, That the Chief Electrical Inspector is requested to order the installation of a 22,000 lumen mercury vapor light on Pole No. 7, located along Opper Street.

Resolution requesting the Traffic Engineer to cause the installation of "No Thru Trucks" signs along Gentian Avenue, from Smith Street to Admiral Street.

Resolved, That the Traffic Engineer is requested to cause the installation of "No Thru

Trucks" signs along Gentian Avenue, from Smith Street to Admiral Street.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

Resolution authorizing the Director of Inspection and Standards to cause that Demolition Lien on that property located on Lot 425, City Assessor's Plat 76, in the amount of \$1,299.00, to be waived, as requested by Earl Chase.

Referred to the Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

The motion to Refer, is Sustained.

REPORTS FROM COMMITTEES

COUNCILMAN THOMAS F. O'CONNOR, JR., Chairman COMMITTEE ON URBAN REDEVELOPMENT, RENEWAL AND PLANNING

Transmits the following with recommendation the same be adopted, as Amended.

An Ordinance Regulating Ground Cover on Public Streets in the City of Providence, as Amended.

Read and Passed the First Time, as Amended, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen Farmer, Glavin, Lombardi, O'Connor, Petrosinelli and Stravato—13.

Noes: None.

Absent: Councilmen Griffin and Pitts—2.

The motion for Passage the First Time, as Amended, is Sustained.

COUNCILMAN LOUIS R. STRAVATO, Chairman COMMITTEE ON CLAIMS AND PENDING SUITS

Transmits the following with Recommendation the Same be Severally Approved for Cancellation:

Certificates from the City Collector (Nos. 34, 35 and 36), Recommending the Same be Severally Cancelled, Pursuant to the Provisions of Section 44-7-11 of the General Laws of Rhode Island, 1956, as Amended, inasmuch as the Same have been determined to be uncollectable as such amounts were not reported as required on the statement of lien.

Severally Approved for Cancellation, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI, by the following Roll Call Vote:

Ayes: Council President Easton, Councilman Annaldo, Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fagnoli, Councilmen Farmer, Glavin, Lombardi, O'Connor, Petrosinelli and Stravato—13.

Noes: None.

Absent: Councilmen Griffin and Pitts—2.

The motion to Approve for Cancellation is Sustained.

COMMUNICATION

**From EDWARD D. DIPRETE, GOVERNOR
OF THE STATE OF RHODE ISLAND:**

Communication in response to Resolution No. 547, approved October 9, 1986 informing he has provided a 5.5% increase in the current budget and has requested the State Library Services to

work cooperatively with the Providence Public Library to alleviate their financial problems.

Received.

FROM THE CLERK'S DESK

Petition of Church of Our Lady of Lourdes by Louis E. Gelineau, Roman Catholic Bishop of Providence, President, to abandon a portion of Mongenais Street, northerly of its presently paved terminous at 32-34 Mongenais Street.

Earle G. Goldstein

Suzanne Marie Huffman

Joseph Loccisano

Anthony L. Mandia and Donna Mandia

Thomas Provoyeur

Arthur Robillard

Petition of Ronald L. and Blanche M. Tarro to abandon a portion of Perrin Street.

Phillis Sabetta

Maria R. Santos

Severally Referred to the Committee on Public Works, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

Donald and Joan Walsh

Petitions for compensation for injuries and damages viz:

Severally Referred to the Committee on Claims and Pending Suits, on motion of COUNCILMAN GLAVIN, seconded by COUNCILWOMAN FARGNOLI.

Mr. and Mrs. Mark Bugden

The motion to Refer, is Sustained.

Virginia B. Elam

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT EASTON and the MEMBERS of the CITY COUNCIL:

of the City Council is hereby expressed to the families of the following:

Resolutions extending Sympathy.

Raymond V. Laffey

Resolved, That the Sympathy of the Members

Frank Bucci

Pauline DiLorenzo

Mary D. Cataldo

Joseph Sorrentino Sr.

Maria DiCarlo

Archibald W. Durfee

John B. Valletta Sr.

Alfred DelVecchio

Alfred A. Volpe

James V. Bucci

James Cappelli Sr.

Orsola Petteruto

Kathleen E. Barrett

Josephine Giordano

Edward Tatarian

Edward F. Malkowski

Rachel Iadevaia

Beverly Marfeo

Severally Read and Collectively Passed,
by a Unanimous Rising Vote, on motion of
COUNCILMAN GLAVIN, seconded by
COUNCILWOMAN FARGNOLI.

The motion for Passage, is Sustained.

ADJOURNMENT

There being no further business, on
motion of COUNCILMAN GLAVIN, sec-
onded by COUNCILWOMAN FARGNOLI,
the City Council adjourns at 8:30 o'clock
P.M.(E.S.T.) to meet again on THURSDAY,
DECEMBER 18, 1986 at 8:00 o'clock P.M.
(E.S.T.)

Rose M. Mendonca

City Clerk

December 4]

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[1986